

REMARKS

This application has been reviewed in light of the Office Action dated December 31, 2009. Claims 1-8, 10 and 11 are presented for examination, of which Claim 1 is in independent form. Claim 9 has been canceled without prejudice or disclaimer of subject matter, and will not be mentioned further. Claims 1, 2, 4, 6, 7, 10 and 11 have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Claims 1-3 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,710,634 (Kuriyama et al.). Claims 4-8, 10 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kuriyama* in view of U.S. Patent 6,011,634 (Aihara et al.).

Applicants submit that the independent claim, together with its dependent claims, is patentable over the cited prior art for at least the following reasons.

The nature of the present invention has been adequately discussed in the Amendment of October 19, 2009, and it is not believed necessary to repeat that discussion in full.

Applicants note that according to certain aspects of the present invention, a facsimile (fax) machine has a document inserting port where a user places an original document to be faxed (Figs. 1, 44) and a recording paper inserting port where a user places a blank recording sheet (Figs 1, 29). In addition, the fax machine also has a document ejecting port where a printed recording sheet is ejected from the fax machine for a user's retrieval (Fig. 1, 57). The document ejecting port is located in the front of the fax machine.¹

¹ It is to be understood that the scope of the claims is not limited by the details of this or any other embodiment that may be referred to.

Claim 1 recites, among other features, “a document inserting port arranged in the upper portion of said apparatus main body, for inserting an original document from a location to the rear of said display unit; a document ejecting port arranged in a front portion of said apparatus main body for ejecting a printed recording sheet.”

These features are not believed to be disclosed or suggested in *Kuriyama*. *Kuriyama* relates to an output apparatus which has a joint paper conveying path for both a scanner section and a printer section and which can determine whether any paper fed to either of the sections is an original document or a blank recording sheet (*see* col. 3, lines 46-58). Specifically, the output apparatus has a document inserting portion to the front of the display portion where a user places an original document (*see* Fig. 2, 9) and a document ejecting portion in the back of the output apparatus where a printed recording sheet is ejected for a user’s retrieval (*see* Fig. 2, 15).

Applicants submit, however, that nothing in *Kuriyama* would teach or suggest “a document inserting port... for inserting an original document from a location to the rear of said display unit; a document ejecting port arranged in a front portion of said apparatus main body for ejecting a printed recording sheet,” as recited in Claim 1.

The portion of *Kuriyama* cited in the Office Action as disclosing the “document inserting port” of Claim 1 concerns a reading and recording apparatus which is considered as prior art in *Kuriyama*. The apparatus similarly has a display portion, a document inserting portion to the front of the display portion, and a document ejecting portion in the back of the apparatus main body (*see* Fig. 57, 501, 505 and 507, respectively). Even so, however, nothing in *Kuriyama* is believed to teach the “document inserting port” and the “document ejecting port” of Claim 1.

Accordingly, for at least the reasons noted above, Claim 1 is believed patentable over *Kuriyama*.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claim. Therefore, the independent claim is believed to be allowable over the art of record.

The other claims in this application are each dependent from Claim 1, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. In any event, however, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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